

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
JANUARY 12, 2006

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control ("EQC").
- II. **SUBJECT:** Administrative and Consent Orders issued during the period October 1 – November 30, 2005.
- III. **FACTS:** For the period October 1, 2005 through November 30, 2005 EQC issued thirty-nine (39) Consent Orders with total assessed civil penalties in the amount of \$234,830.00. Two (2) Administrative Orders was entered into during the reporting period with a total assessed civil penalty in the amount of \$26,500.00. One (1) Consent Agreement was entered into during the reporting period.

Unless otherwise specified, "Previous Orders" as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

Bureau	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land & Waste Management				
Hazardous Waste	0	\$ 0	2	\$ 15,550.00
Solid Waste	0	0	0	0
UST Program	0	0	2	2,300.00
SUBTOTAL	0	0	4	\$ 17,850.00
Water				
Drinking Water	1	\$ 6,500.00	9	\$ 9,180.00
Water Pollution	1	\$ 20,000.00	19	197,800.00
SUBTOTAL	1	\$ 26,500.00	28	\$ 186,980.00
Air Quality				
SUBTOTAL	0	\$ 0	7	\$ 30,000.00
TOTAL	1	\$ 26,500.00	39	\$ 234,830.00

ANALYSIS: During the reporting period, Water Pollution Enforcement entered into a Consent Order with the City of Columbia (Respondent). The Respondent is responsible for the operation and maintenance of the North Columbia Sewer Lift Station and has violated the Pollution Control Act and the Water Classification Standards for discharging untreated wastewater into the environment and waters of the state. The Respondent must submit a

construction permit application to make repairs to the lift station and a schedule for completing and implementing the repairs. A civil penalty in the amount of fourteen thousand dollars (\$14,000.00) was assessed.

Additionally, Water Pollution Enforcement entered into a Consent Order with the SC Department of Transportation (SCDOT) and Blythe Construction, Inc. (Respondents) for failure to comply with the permit conditions by discharging sediment into waters of the state. The Respondents are responsible for the Road Widening Project at US I-385 and Villa Road. The Respondents must comply with all operating requirements, submit a report approved by a SC Registered Professional Engineer certifying all storm water and sediment control devices are complete and in accordance with approved plans and specifications and pay an assessed civil penalty of twenty thousand dollars (\$20,000.00).

Drinking Water Enforcement issued an Administrative Order against Brown's Ferry Water Company, Inc. (Respondent), which was not appealed and consequently placed in force. The Respondent owns and operates a public water system (PWS) and has failed to submit the 2004 annual quantity of groundwater withdrawn (Water Use Report Form) and the Consumer Confidence Report (CCR) for 2004 calendar year to the Department and to its customers. The Respondent must submit to the 2004 Water Use Report Form; issue the 2004 CCR to the Department and to the customers of the PWS; and pay a civil penalty in the amount of six thousand five hundred dollars (\$6,500.00). The Respondent is currently in violation of the Order and the project has been referred to the Office of General Counsel for further action.

Hazardous Waste Enforcement entered into a Consent Order with Industrial Container Services – SCII, LLC (Respondent) for violation of the Hazardous Waste Management Regulations and the Hazardous Waste Management Act. The Respondent is a drum reconditioning facility that has not accurately determined if solid waste was a hazardous waste and has not developed or followed a written waste analysis plan. The Respondent also has not kept documents and records regarding the employees at the facility or their job descriptions and personnel training records have not been kept. Also, emergency contingency plans were not submitted to the local police or fire departments, hospitals, or State and local emergency teams that may be called upon during an emergency situation. The Respondent will ensure that all violations are corrected and has been assessed a civil penalty in the amount of fourteen thousand dollars (\$14,000.00).

Of the thirty-nine (39) Consent Orders issued by EQC enforcement programs during the reporting period, thirty-six (36) have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

Robert W. King, Jr., P.E.
Deputy Commissioner
Environmental Quality Control